

SEP 09 2011

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

MATTHEW JAMES FAISON, JR.,  
Plaintiff,

v.

UNITED STATES SOCIAL SECURITY  
COMMISSION, et al.,  
Defendants.

) Misc. Case No. 7:11mc00043  
) Civil Action No. 7:11cv00 429  
)

) **FINAL ORDER**  
)

) By: Samuel G. Wilson  
) United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** that Faison's complaint is hereby **CONSTRUED** as a prisoner civil rights action pursuant to Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971) and the clerk is **DIRECTED** to docket it as such. It is further **ORDERED** that Faison's request to proceed in forma pauperis is **DENIED**, this action is **DISMISSED** without prejudice pursuant to 28 U.S.C. §1915(g), and this case shall be **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to a send certified copy of this Order and the accompanying Memorandum Opinion to plaintiff.

ENTER: This 9<sup>th</sup> day of September, 2011.

*[Signature]*  
\_\_\_\_\_  
United States District Judge